

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DECISION AND ORDER

BRANDON ALEXANDER DELL

14-CR-70S-(1)

Defendant.

1. On December 13, 2017, the Defendant Brandon Alexander Dell pled guilty to Count 4 of the Superseding Indictment (Docket No. 66) charging a violation of Title 18 U.S.C. §924(c)(1)(A)(i) (possession of a firearm in furtherance of a drug trafficking crime).

2. On December 13, 2017, the Honorable H. Kenneth Schroeder, Jr. United States Magistrate Judge, filed a Report and Recommendation (Docket No. 145) recommending that Defendant's plea of guilty be accepted and the Defendant adjudicated guilty.

3. This Court has not received objections to the Report and Recommendation in accordance with 28 U.S.C. §636(b)(1) and Local Rule 59(b).

4. This Court has carefully reviewed *de novo* Judge Schroeder's December 13, 2017, Report and Recommendation, the Plea Agreement, the Indictment, the digital FTR recording of the proceeding and the applicable law. Upon due consideration, this Court finds no legal or factual error in Judge Schroeder's Report and Recommendation, and will accept Judge Schroeder's recommendation that Defendant's plea of guilty be accepted and that the Defendant be adjudicated guilty as charged.

IT HEREBY IS ORDERED, that this Court accepts Judge Schroeder's December 13, 2017, Report and Recommendation (Docket No. 145) in its entirety, including the authorities cited and the reasons given therein.

FURTHER, that the plea of guilty of Defendant Brandon Alexander Dell is provisionally accepted, and he is now provisionally adjudged guilty of Title 21 U.S.C. §924(c)(1)(A)(i).

SO ORDERED.

Dated: January 23, 2018
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge